

**BEFORE THE
TENNESSEE REGULATORY AUTHORITY**

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REGULATORY AUTH.
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OFFICE OF THE
EXECUTIVE SECRETARY

In re:

**Petition for Arbitration of the
Interconnection Agreement Between
BellSouth Telecommunications, Inc. and
Intermedia Communications Inc. Pursuant
to Section 252(b) of the Telecommunications
Act of 1996**

Docket No. 99-00948

**INTERMEDIA COMMUNICATIONS INC.'S FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS DIRECTED TO BELL SOUTH TELECOMMUNICATIONS, INC.**

INTERMEDIA COMMUNICATIONS, INC. ("Intermedia"), by its undersigned attorneys, hereby requests that BellSouth Telecommunications, Inc. ("BellSouth") produce documents in response to the following Requests for Production in the manner and within the timeframe prescribed by the Tennessee Regulatory Authority.¹

DEFINITIONS AND INSTRUCTIONS

1. For the purposes of these Requests for Production, the following definitions shall apply:

"Documents" is used in the broadest sense and includes all tangible things that record information, whether or not such things are in BellSouth's possession, custody or control, and regardless of who prepared or signed them. "Documents" includes both the original and any copy or draft, and all copies which contain any notation not on the original. Examples of "documents"

¹ Pursuant to the procedural schedule proposed jointly by Intermedia and BellSouth, objections to discovery requests must be filed on or before June 29, 2000; responses must be filed on or before July 11, 2000. See Letter from H. LaDon Baltimore and Langley Kitchings to David Waddell, June 13, 2000.

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include, but are not limited to, handwritten, typed or printed papers, handwritten notations, office notes, calendar entries, diaries, notes of telephone conversations, photographs, reports, receipts, invoices, memoranda, correspondence, notes, ledger entries, and computer printouts, cards, tapes, disks, and other means of electronically or magnetically maintained information.

“You” and “your” refer to BellSouth.

“Persons” means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

“And” and “or” shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these Requests for Production documents that would not otherwise be brought within their scope.

“Petition” refers to the petition for arbitration filed by BellSouth on December 7, 1999, seeking arbitration under Section 252(b) of the Communications Act of 1934, as amended (the “Communications Act”).

“Authority” refers to the Tennessee Regulatory Authority.

“FCC” refers to the Federal Communications Commission.

“CLEC” means “competitive local exchange carrier.”

“ILEC” means “incumbent local exchange carrier” as defined in Section 252(h) of the Communications Act.

“LEC” means “local exchange carrier,” including but not limited to CLECs and ILECs.

“IXC” means “interexchange carrier.”

“TELRIC” means total element long run incremental cost.

“Parties” means BellSouth and Intermedia.

“UNE Remand Order” means the FCC’s decision in *In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, Third Report and Order and Fourth Further Notice of Proposed Rulemaking (rel. Nov. 5, 1999); Supplemental Order (rel. Nov. 24, 1999).

“Advanced Services Order” or “Collocation Order” means the FCC’s decision in *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, CC Docket No. 98-147, First Report and Order and Further Notice of Proposed Rulemaking (rel. Mar. 31, 1999).

“D.C. Circuit Collocation Order” means the decision of the United States District Court of Appeals for the District of Columbia Circuit, Docket No. 99-1176, decided on March 17, 2000.

“D.C. Circuit ISP Order” means the decision of the United States District Court of Appeals for the District of Columbia Circuit, Docket No. 99-1094, decided on March 24, 2000.

2. Provide the names, addresses and positions of each person responsible for preparing each of the answers to the Requests for Production.

3. If you maintain that any document or record which refers to or relates to anything about which these Requests for Production ask or that would be responsive to any of the Requests for Production has been destroyed, set forth the content of said document, the location of any copies of said document, the date and circumstances of said destruction, and the name of the person who ordered or authorized such destruction.

4. In answering these Requests for Production, furnish all responsive documents in BellSouth’s possession or in the possession of any director, officer, employee, agent, representative, or attorney of BellSouth.

5. If you cannot answer a Request for Production in full after exercising due diligence to secure all the documents requested, or do not have precise information with regard to any part of a Request for Production, you should so state in your response, describing in full your efforts to obtain the documents requested, and then proceed to respond to the fullest extent possible. If you object to any part of a Request for Production, answer all parts of the request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

6. Where the data requested, including but not limited to cost studies and related information, is or can be made available on diskette, please provide the documentation on diskette and indicate what the format in which the data reside.

7. If a responsive document is considered to contain confidential, proprietary, or otherwise protected information, please furnish this document subject to a protective order.

8. If any document is withheld under a claim of privilege, please furnish a list of each document for which the privilege is claimed, the name and address of the person(s) who has present custody of the document, each person who has viewed or who has had custody of the document, and a statement of the basis upon which the claim of privilege is based.

9. Unless otherwise indicated, the documents sought in the Requests for Production relate to BellSouth's operations in Tennessee.

REQUESTS FOR PRODUCTION

The following Requests for Production should be answered separately, fully, and served on Intermedia's counsel. Each of the following Requests for Production is intended to be a continuing request. In the event that at any later date BellSouth obtains any additional documents

responsive to a Request for Production, BellSouth shall amend and/or supplement its answer to such a Request for Production promptly and sufficiently in advance of any hearing on this matter before the Authority. Finally, the following requests reflect those issues that remain open as of the filing date of this document; issues that have been either resolved or referred to the Authority's "generic" proceedings are not included.

* * * * *

1. Produce copies of all documents identified or referenced by BellSouth in response to Intermedia's First Set of Interrogatories.

RESPONSE:

2. Produce any and all effective interconnection agreements between BellSouth and other telecommunications carriers that provide for reciprocal compensation at *elemental* interconnection rates.

RESPONSE:

3. Produce any and all effective interconnection agreements between BellSouth and other telecommunications carriers that provide for reciprocal compensation at *composite* tandem interconnection rates.

RESPONSE:

4. Produce any and all documents, including diagrams, schematics, or illustrations showing the manner in which BellSouth terminates local calls originated by other telecommunications carriers.

RESPONSE:

5. Produce any and all documents, including diagrams, schematics, or illustrations showing the manner in which BellSouth originates local calls and terminates those calls to other telecommunications carriers.

RESPONSE:

6. Produce any and all documents, including diagrams, schematics, or illustrations showing the manner in which other telecommunications carriers terminate local calls originated by BellSouth.

RESPONSE:

7. Produce a diagram, illustration, or schematic of BellSouth's network in Tennessee showing how its central offices are interconnected.

RESPONSE:

8. Produce illustrations or maps showing BellSouth's calling areas in Tennessee and/or the geographic areas covered by its switches in Tennessee.

RESPONSE:

9. Produce a diagram, schematic, or illustration of BellSouth's circuit-switched network in Tennessee showing how its circuit-switched network is interconnected with the circuit-switched networks of other telecommunications carriers with whom it interconnects.

RESPONSE:

10. Produce a diagram, schematic, or illustration of BellSouth's packet-switched network in Tennessee showing how its packet-switched network is interconnected with the packet-switched networks of other telecommunications carriers with whom it has interconnection agreements.

RESPONSE:

11. Produce any and all documents demonstrating that Intermedia's switches do not serve geographic areas comparable to BellSouth's tandems.

RESPONSE:

12. Produce any and all documents demonstrating that Intermedia's switches do not perform a tandem function.

RESPONSE:

13. Produce any and all documents demonstrating that Intermedia's switch is not providing a common transport or tandem function, but is switching traffic through its end office for delivery of that traffic from that switch to the called party's premises.

RESPONSE:

14. Produce any and all Authority decisions which have found that a competing telecommunications carrier's switch serves an area comparable to that served by BellSouth's tandem switch.

RESPONSE:

15. Produce and any all Authority decisions which have found that a competing telecommunications carrier's switch provides the same functionality as that provided by BellSouth's tandem switch.

RESPONSE:

16. Produce any and all Authority decisions which have found that a competing telecommunications carrier's switch *does not* serve an area comparable to that served by BellSouth's tandem switch.

RESPONSE:

17. Produce any and all Authority decisions which have found that a competing telecommunications carrier's switch *does not* provide the same functionality as that provided by BellSouth's tandem switch.

RESPONSE:

18. Produce any and all cost studies underlying BellSouth's reciprocal compensation charges.

RESPONSE:

19. Produce any and all Authority decisions which address the rates for virtual and physical collocation, including but not limited to, space preparation/conditioning charges.

RESPONSE:

20. Produce any and all effective interconnection agreements between BellSouth and other telecommunications carriers which reflect the space preparation rates established and/or approved by the Authority.

RESPONSE:

21. Produce any and all cost studies underlying BellSouth's collocation charges.

RESPONSE:

22. Produce copies of all effective interconnection agreements between BellSouth and other telecommunications carriers in Tennessee which provide for virtual-to-physical collocation conversions.

RESPONSE:

23. Produce copies of all firm order confirmations and similar documents in which BellSouth authorizes the conversion of virtual collocation arrangements to physical collocation arrangements without requiring the relocation of the requesting carrier's virtually collocated equipment.

RESPONSE:

24. Produce any and all cost studies underlying BellSouth's charges for converting virtual collocation to physical collocation, including the physical collocation application fee.

RESPONSE:

25. Produce any and all interconnection agreements between BellSouth and other telecommunications carriers which prohibit the carriers from assigning NPA/NXXs outside the BellSouth local calling area where the NPA/NXXs are homed.

RESPONSE:

26. Produce a list of BellSouth's central offices in Tennessee and the amount of space available for collocation

RESPONSE:

27. Produce a list of BellSouth's central offices in Tennessee which either have no space available for collocation or are facing potential exhaust.

RESPONSE:

28. Produce copies of building codes which BellSouth alleges affect space allocations.

RESPONSE:

29. Produce copies of any and all documents (*e.g.*, regulations, judicial or regulatory decisions, etc.), other than building codes, which BellSouth alleges affect space allocations.

RESPONSE:

30. Produce copies of all collocation waivers filed by BellSouth in Tennessee.

RESPONSE:

31. Produce copies of all Authority decisions granting BellSouth's request for collocation waivers in Tennessee.

RESPONSE:

32. Produce any and all documents that refer or relate to BellSouth's design practices as they relate to space allocations.

RESPONSE:

33. Produce copies of any and all documents that refer or relate to BellSouth's collocation practices (excluding design practices referenced above), including but not limited to, standard operating procedures for handling collocation requests.

RESPONSE:

34. Produce any and all documents filed by BellSouth in any generic collocation proceeding in Tennessee.

RESPONSE:

35. Produce all documents that support or refer or relate to the recurring and nonrecurring rates you contend Intermedia should pay for frame relay elements necessary to provide packet-switched services in Tennessee, including the User-to-Network Interface (UNI), Network-to-Network Interface (NNI), and the Data Link Control Identifiers (DLCI) at Committed Information Rates (CIR).

RESPONSE:

36. Produce all documents that refer or relate to any request by telecommunications carriers, other than Intermedia, to provide them with an Enhanced Extended Link (EEL), as well as all documents referring or relating to BellSouth's response to any such request.

RESPONSE:

37. Produce copies of interim or final decisions in arbitration proceedings under Section 252 of the Communications Act or in any other proceeding under the Communications

Act that address the issue of whether BellSouth should or should not provide EEL to requesting carriers.

RESPONSE:

38. Produce copies of all interconnection agreements between BellSouth and other telecommunications carriers (other than Intermedia) under Section 252 of the Communications Act, whether the interconnection agreement was reached through voluntary negotiations or compulsory arbitration.

RESPONSE:

39. Produce all documents upon which BellSouth intends to rely or introduce into evidence at the hearing on this matter.

RESPONSE:

40. Identify any and all cost studies, evaluations, reports, analyses, proposals, recommendations, and similar documents prepared by BellSouth or on behalf of BellSouth concerning any issue raised by the parties in this proceeding.

RESPONSE:

41. Produce all documents that refer, reflect, or describes the network architecture used by BellSouth to deliver traffic to Internet Service Providers (ISPs).

RESPONSE:

42. Produce any and all cost studies prepared by or on behalf of BellSouth relating to Frame Relay.

RESPONSE:

43. Produce any and all cost studies supporting or referring or relating to BellSouth's recurring and nonrecurring charges for the unbundled network elements identified by the FCC in the *UNE Remand Order*.

RESPONSE:

44. Produce any and all cost studies supporting or referring or relating to BellSouth's recurring and nonrecurring charges for existing combinations of UNEs, including the EEL and UNE-P, identified by the FCC in the *UNE Remand Order*.

RESPONSE:

45. Produce any and documents that relate or refer to BellSouth's provisioning of access to packet switching capabilities on an unbundled basis.

RESPONSE:

46. Produce any and all documents that relate or refer to BellSouth's provisioning of access to existing combinations of network elements, including the EEL.

RESPONSE:

47. Produce any and all documents that relate or refer to BellSouth's provisioning of access to interoffice transmission facilities, including high-capacity transport and dark fiber.

RESPONSE:

48. Produce any and all documents that relate or refer to BellSouth's provisioning of unbundled access to Frame Relay UNEs, including UNI, NNI, DLCI, and CIR.

RESPONSE:

49. Produce any and all documents that relate or refer to BellSouth's provisioning of Multiple Tandem Access (MTA).

RESPONSE:

50. Produce any and all cost studies underlying BellSouth's proposed compensation for the use of BellSouth's circuit between the parties' frame relay switches.

RESPONSE:

51. Produce any and all cost studies underlying BellSouth's proposed compensation for the parties' use of frame relay NNI ports.

RESPONSE:

52. Produce any and all cost studies underlying BellSouth's proposed compensation for the PVC segment between the parties' frame relay switches.

RESPONSE:

53. Produce any all cost studies underlying BellSouth's proposed compensation between the parties for local PVCs.

RESPONSE:

54. Produce any and all cost studies underlying BellSouth's proposed compensation between the parties for interLATA PVCs.

RESPONSE:

55. Produce any and all cost studies underlying BellSouth's proposed compensation between the parties for requests to change a PVC segment or PVC service order record.

RESPONSE:

56. Produce any and all cost studies underlying BellSouth's charges for Frame Relay interconnection.

RESPONSE:

57. Produce any and all documents filed by BellSouth with the FCC, a state commission, or a court in which BellSouth challenges the requirement to provide access to the UNEs, including combinations of UNEs, identified by the FCC in the *UNE Remand Order*.

RESPONSE:

58. Produce any and all documents filed by BellSouth with the FCC, a state commission, or a court in which BellSouth challenges the requirement to provide collocation as required by the FCC in the *Advanced Services Order*.

RESPONSE:

59. Produce any and all documents filed by BellSouth with the FCC, a state commission, or a court challenging the ability of telecommunications carriers to assign NPA/NXXs as they see fit.

RESPONSE:

60. Produce any and all documents filed by BellSouth with the FCC, a state commission, or a court challenging a telecommunications carrier's request for Frame Relay interconnection.

RESPONSE:

61. Produce copies of all arbitration decisions under Section 252 involving BellSouth in Tennessee.

RESPONSE:

62. Produce any and all documents that refer or relate to BellSouth's provisioning of adjacent collocation.

RESPONSE:

63. Produce copies of BellSouth's responses to CLECs' requests for collocation reports, as required under the *Advanced Services Order*.

RESPONSE:

64. Produce any and all documents relating to BellSouth's payment or nonpayment of reciprocal compensation to CLECs for the transport and termination of traffic to ISPs.

RESPONSE:

65. Produce any and all documents relating to BellSouth's proposed collocation intervals.


RESPONSE:

66. Produce any and all documents relating to BellSouth's proposed performance metrics in Tennessee.

67. Produce any and all documents relating to self-enforcement mechanisms which may apply to BellSouth in Tennessee.

Respectfully submitted,

INTERMEDIA COMMUNICATIONS INC.

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ITS ATTORNEYS

Dated: July 6, 2000

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of July, 2000, a true and accurate copy of the foregoing was served by hand delivery, overnight delivery or U. S. Mail, first class postage prepaid, to Guy Hicks, Esq., BellSouth Telecommunications, Inc., 333 Commerce Street, Suite 2101, Nashville, TN 37201-3300.


H. LaDon Baltimore